

Moultonborough Planning Board
P.O. Box 139
Moultonborough, NH 03254

Regular Meeting

August 10, 2016

Minutes

Present: Members: Scott Bartlett, Joanne Farnham, Kevin Quinlan, Allen Hoch
Alternate: Rich Thorman
Excused: Member: Rich Kumpf, Norman Larson, Russ Wakefield (Selectmen's Representative)
Staff Present: Interim Planner, Gerald Coogan; Administrative Assistant, Bonnie Whitney

I. Pledge of Allegiance

The Chairman opened the regular meeting at 7:00 PM, led the Pledge of Allegiance and then the members introduced themselves to the public. Chairman Bartlett seated Rich Thorman with full voting privileges.

II. Approval of Minutes

Motion: Mr. Hoch moved to approve the Planning Board Minutes of July 13, 2016, as written, seconded by Mr. Quinlan, carried unanimously with Mrs. Farnham abstaining.

III. Citizen's Forum – No Comment

IV. New Submissions - None

V. Boundary Line Adjustments - None

VI. Hearings - None

VII. Other Business/Correspondence

1. Review of possible amendments to the Zoning Ordinance: Village Center Overlay District (VCOD):

Motion: Mr. Hoch made a motion to remove, from the table, the discussion on the VCOD seconded by Mrs. Farnham, carried unanimously.

Jerry Coogan, Interim Planner, explained to the members who he was and how he arrived in NH 40 years ago. He gave a brief overview of his background, and how he became a planning and development consultant. He noted one of the tasks as Interim Planner is to work on the proposed amendments to the Zoning Ordinance which includes the Village Center Overlay District (VCOD), the Village Plan Alternative (VPA) and the Accessory Dwelling Units (ADU). His approach to regulations is the KISS principle (Keep it simple, "stupid") meaning it is best if they are kept simple rather than made complicated. Also TMI (Too Much Information) or less is more. He does not believe that there needs to be a lot of language and a lot of verbiage in some of the regulations. His approach is to eliminate some of the language, try to condense things and make it readable. What you want to happen is something that the Board can sell to the people at Town Meeting, and something that a developer could use and give the Board a good product as a result of it. If it is easy to understand and workable, it would be in everybody's best interest.

There have been two approaches to the village, one was a Village Overlay District and the other the Village Plan Alternative. Mr. Coogan's recommendation is that the Board ditch the VPA, for a couple of reasons. The first being he feels that it is competing with the VCOD (hard for people to understand) and second the VPA has been around for 16 +/- years, and only five towns have adopted it. He does not know of any proposals that have come to a town via the VPA. It is restrictive as 80% of the land needs to be open space and only 20% can be developed. He doesn't feel it is workable and in his talks with developers and planners, that is the conclusion that many people have. He has spoken with Ben Frost, Esq. and Planner who works with NH Housing Finance Authority, who concurs with Mr. Coogan's recommendation.

Mr. Coogan moved onto the handouts for the VCOD, noting there were two. The first draft is dated July 11, 2016, with a revision date of Aug. 10, 2016. The revisions include new language highlighted in yellow, and suggested language to be removed has a "strikethrough" it. He noted that he went through the July 11th draft with the KISS principle and less it more, and added information. The second document was VCOD – Option 2, 1st Draft, which is a much shorter, condensed document.

Members reviewed both of the VCOD drafts at length, making a few suggestions and minor changes. Mr. Coogan went on to state that once the board comes to an agreement on which draft they like for the Village Center, they should give it to a developer for their feedback. What they think of it, and is it something the developers could use.

After further discussion, it was the general feeling of the Board to proceed with Option 2. Mr. Coogan recommended that they let this set for a couple of weeks, think about it, and revisit it. Mr. Bartlett noted he would like to get the input from members that were absent this evening. Mr. Coogan will make minor changes and corrections to Option 2 as discussed this evening.

Motion: Mrs. Farnham made a motion to table the discussion on the VCOD (Village Center Overlay District) allowing time for Mr. Coogan to focus his attention on "Option 2" as discussed this evening, seconded by Mr. Hoch, carried unanimously.

2. Review of possible amendments to the Zoning Ordinance: Accessory Dwelling Units (ADU): Mr. Bartlett commented it had been sometime since the Board last looked at the ADU. On March 23rd the Board had made a Motion to move the final draft ADU to Public Hearing on November 9th, 2016. Mr. Coogan provided members with a handout that was available at the ADU workshop, hosted by Plan NH, held back on March 17th. He gave a quick review of the law passed by the State, where the State says that communities cannot prohibit ADU's, you must allow an ADU as part of a single family dwelling unit. Town's may still have control over some of the elements, such as attached, or detached. You can require that the owner of the property live in either the single family dwelling or the accessory unit. You can place a maximum square footage on an ADU (the law requires a minimum of 750 s.f.).

Mr. Coogan provided members with a draft handout with a revision date of August 10th, noting new language was highlighted in yellow, and suggested language to be removed has a "strikethrough" it.

Members reviewed the latest revision discussing the suggested changes. Mr. Coogan stated that once members were familiar with those changes and okay with the draft, he will forward it to legal counsel for his review. It was the consensus of the Board that they were comfortable with the draft as presented and authorized Mr. Coogan to send it to Attorney Serge for his input.

3. Review of possible amendments to the Zoning Ordinance: Village Plan Alternative (VPA): Mr. Bartlett stated the Board had briefly addressed the VPA at the beginning of the discussion, noting it was Mr. Coogan's recommendation that the Board table any further work on the VPA. Members will take a formal vote on this at their next meeting.

Mr. Coogan will make the suggested changes and get the information out ahead of time so that it can be reviewed prior to their next meeting.

4. Mr. Coogan briefly updated the Board regarding Dollar General, noting he has received calls from Matt Casey, agent for the developer, Zaremba. They have applied for a building permit, which cannot be issued until such time all of the conditions of the site plan (and subdivision) have been met. One outstanding item is a driveway permit from NH DOT, which involves the crosswalk, and which requires a maintenance agreement that the Town will maintain the crosswalk. In speaking with Mr. Casey, he was told that Zaremba has to provide the Town with a draft agreement, which he will then work with staff and counsel to get that through the process. In the meantime, Nobis Engineering is going to send updated plans, with what they feel has addressed all of the conditions. Those plans and documents will be reviewed to make sure they're adequate. If they don't get their DOT permit or DES permit, he feels they are lacking in meeting all of their conditions of approval. Staff has suggested a 3rd party review, specifically by former Planner Woodruff, as he was heavily involved in the application process from the beginning. Having Mr. Woodruff review the final plans, Notice of Decision, along with any other conditions of approval. Mr. Coogan has reached out to Mr. Woodruff, who indicated that he would review what is provided by the applicant and their agents. This 3rd party review will be done at the expense of the applicant.

5. Master Plan Steering Committee Update: Mr. Bartlett stated that the Steering Committee is in receipt of the latest draft of the Vision Chapter and the Land Use Chapter from the LRPC. Their next meeting is on August 18th and they will review those drafts. Subject to their review any recommended changes will be done. The final product will be provided to the Planning Board for adoption. They are working on a draft for the Transportation Chapter as well. As the liaison to the Conservation Commission, Mr. Bartlett noted that the Con Com is working on, and has a draft review of the Natural Resources Inventory (NRI), which will be a core element of updating the NRI section in the Master Plan.

6. Septic Modeling Project: Mr. Bartlett noted he was contacted by Pat Tarpey of the Lake Winnepesaukee Association to participate in a septic improvement initiative. The intent is to expand on the LRPC model for addressing aging and failing septic systems that was done in 2015 on Lake Waukegan. Mr. Bartlett has shared this information with the Conservation Commission as well.

IX. Adjournment: Mrs. Farnham made the motion to adjourn at 8:24 PM, Seconded by Mr. Thorman, carried unanimously.

Respectfully Submitted,
Bonnie L. Whitney
Administrative Assistant